

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

MARY MILLER,

Plaintiff,

v.

Case No. 22-C-327

MENASHA ENTERTAINMENT LLC,
by administrator Blu Sapphires Gentlemen's Club,
CURT STRATTON,
KEVIN WEAVER, and
NEELA SATHIYAMOORTHY,

Defendants.

ORDER GRANTING MOTION TO COMPEL ARBITRATION

Plaintiff Mary Miller filed an action against Defendants Menasha Entertainment LLC, Curt Stratton, Kevin Weaver, and Neela Sathiyamoorthy alleging violations of the Fair Labor Standards Act. This matter comes before the Court on the parties' stipulated motion to compel arbitration and to stay the action until arbitration is completed. In particular, the parties request that the Court order that the matter be compelled to arbitration, any limitation on Plaintiff and the Opt-In Plaintiffs' ability to recover attorneys' fees and costs in the arbitration be struck from the arbitration agreement, any limitation on Plaintiff and the Opt-In Plaintiffs' statutes of limitation be struck from the arbitration agreement, and the matter be stayed pursuant to 9 U.S.C. § 3.

The Court grants the parties' request to compel the matter to arbitration, that any limitation on Plaintiff and the Opt-In Plaintiffs' ability to recover attorneys' fees and costs in the arbitration be struck from the arbitration agreement, and that any limitation on Plaintiff and the Opt-In Plaintiffs' statutes of limitation be struck from the arbitration agreement. Notwithstanding the

language of § 3 of the Federal Arbitration Act, which suggests that the action should be stayed in response to a motion to compel arbitration, there is no need to continue the action. Once arbitration is complete, the parties are free to commence an action to either enforce or vacate the arbitration award, but that would be a new action. It makes little sense for this case to remain pending when there is no further action for the Court to take.

IT IS THEREFORE ORDERED that the parties' stipulated motion to compel arbitration is **GRANTED** and the motion to stay proceedings is **DENIED**. This action is dismissed. The Clerk is directed to enter judgment accordingly.

Dated at Green Bay, Wisconsin this 15th day of August, 2022.

s/ William C. Griesbach
William C. Griesbach
United States District Judge